

FILED
SUPREME COURT
STATE OF WASHINGTON
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BY SUSAN L. CARLSON
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NO. 96781-4

SUPREME COURT OF THE STATE OF WASHINGTON

AMERICAN HOTEL & LODGING ASSOCIATION, SEATTLE HOTEL
ASSOCIATION, and WASHINGTON HOSPITALITY ASSOCIATION,
Respondents/Plaintiffs,

v.

CITY OF SEATTLE,
Appellant/Defendant,

and

UNITE HERE! LOCAL 8 and SEATTLE PROTECTS WOMEN,
Appellants/Intervenor-Defendants.

UNITE HERE! LOCAL 8 AND SEATTLE PROTECTS WOMEN'S
RESPONSE TO RESPONDENT'S EMERGENCY MOTION TO
CHANGE ORAL ARGUMENT SETTING

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Appellants UNITE HERE! Local 8 and Seattle Protects Women respectfully oppose Respondent American Hotel & Lodging Association, Seattle Hotel Association, and Washington Hospitality Association's Emergency Motion to Change Argument Setting. Contrary to the representations made therein, there is zero chance that any legislative action taken by the City of Seattle will make the instant appeal moot.

The undersigned is familiar with the legislative proposals being considered by the City of Seattle.¹ To my understanding, none of those proposals, individually or collectively, would duplicate all provisions of the initiative that was struck down by the Court of Appeals (I-124); thus, a determination of whether that initiative was lawful upon enactment will still be necessary. Additionally, none of those proposals, individually or collectively, purport to be effective retroactively to the date the initiative itself would be deemed effective if its legality is upheld by this Court.

There can be no dispute that, if I-124 was lawful, legal harms occurred in the past that have not yet been remedied, and a determination of whether I-124 was or was not lawful is therefore absolutely necessary in order for the legal rights of potentially injured persons to be ascertained and remedied. Regardless of whether any or all of the proposals currently

¹ Dmitri Iglitzin declares under penalty of perjury under the laws of Washington that the facts set forth in this responsive pleading are true and correct and evidences such by his signature on this motion.

pending before the Seattle City Council are enacted, the appeal that is before this Court will still be a live and ripe dispute requiring judicial resolution.

The working people of the City of Seattle who are the intended beneficiaries of I-124, who are currently being deprived of the benefits of that initiative because of the legal effect of the Court of Appeals decision below, need to have those benefits restored (which will happen if, as we contend, I-124 is lawful and the Court of Appeals erred in striking it down) as soon as possible. Any delay in hearing oral argument in this matter will only serve to delay the date that these workers obtain the benefits that the voters of the Seattle of City intended them to have.

For these reasons, we ask that this Court deny the Emergency Motion.

Respectfully submitted this 11th day of September, 2019.


A handwritten signature in black ink, appearing to read "Dmitri Iglitzin", written over a horizontal line.

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CERTIFICATE OF SERVICE

I certify under penalty of perjury in accordance with the laws of the State of Washington that I caused the foregoing document to be filed with the Supreme Court using the appellate e-filing system, which will provide notice of such filing to all required parties.

Signed September 11, 2019.


Dmitri Iglitzin, WSBA No. 17673

BARNARD IGLITZIN & LAVITT

September 11, 2019 - 1:55 PM

Transmittal Information

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The following documents have been uploaded:

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